UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF MISSOURI EASTERN DIVISION

ACCESS DISABILITY, LLC)
Plaintiff,)
v.)) Civil No. 4:13CV223 CEJ
SOCIAL SECURITY ADMINISTRATION,)
Defendant.)

DEFENDANT'S MOTION TO DISMISS

COMES NOW Defendant, the Social Security Administration ("agency"), and hereby respectfully moves this Honorable Court to dismiss Plaintiff's complaint for lack of subject matter jurisdiction and failure to state a claim pursuant to Fed. R. Civ. P. 12(b)(1) and Fed. R. Civ. P. 12(b)(6). The Court should dismiss the Complaint for mootness. A supporting memorandum of law accompanies this motion.

Respectfully submitted,

RICHARD G. CALLAHAN United States Attorney /s/ Jane Rund

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By Martha Bohn Budetti #43929 Assistant Regional Counsel

Andrew F. Maunz #0083832 OH Attorney Social Security Administration Office of General Law Baltimore, Maryland

CERTIFICATE OF SERVICE

I hereby certify that on this 14th day of March, 2013, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which sent notification of such filing to:

David D. Camp 230 S. Bemiston Avenue, Suite 810 St. Louis, Missouri 63105 Attorney for Plaintiff

/s/ Jane Rund

JANE RUND #47298 MO Assistant United States Attorney